
Paul S. Diamond, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JILL STEIN, et al.,

Plaintiffs,

V.

KATHY BOOCKVAR, in her official capacity
as Secretary of the Commonwealth, and
JONATHAN MARKS, in his official capacity
as Commissioner of the Bureau of
Commissions, Elections and Legislation,

Defendants.

CIVIL ACTION

No. 16-cv-6287(PD)

**DEFENDANTS' AND INTERVENORS' MOTION FOR LEAVE TO FILE
LIMITED RESPONSE CORRECTING CERTAIN ERRORS
IN PLAINTIFFS' POST-HEARING SUBMISSIONS**

Defendants and Intervenor hereby move for leave to file a response, in the form attached as Exhibit A hereto, limited to correcting certain discrete errors in Plaintiffs' post-hearing submissions (ECF 180). In support of this motion, Defendants and Intervenor respectfully rely on their attached memorandum of law.

WHEREFORE, Defendants and Intervenors request that the Court grant them leave to file the proposed response attached as Exhibit A.

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identifies eleven examples of such factual misstatements – in the form of a numbered list – concisely explaining, in no more than a few sentences, why each is erroneous. The proposed response also identifies two instances in which Plaintiffs have misstated elements of the law governing the resolution of Plaintiffs’ Motion to Enforce the Settlement Agreement. Indeed, in one instance, Plaintiffs have cited case law in support of a proposition *that was expressly overruled* by a subsequent Third Circuit decision.

For the foregoing reasons, Defendants and Intervenors respectfully request that their Motion be granted and that they be granted leave to file the proposed attached as Exhibit A hereto.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2020, I caused the foregoing Defendants' Motion for Leave to File Limited Response Correcting Certain Errors in Plaintiffs' Post-Hearing Submissions and memorandum of law in support thereof to be filed with the United States District Court for the Eastern District of Pennsylvania via the Court's CM/ECF system, which will provide electronic notice to all counsel of record.

/s/ Mark Aronchick
Mark Aronchick